

## **REMARKS**

Claims 1-4 are pending in the application. Claim 1 has been amended for clarity. Claims 2-4 have been added. No new matter has been added. Support for the new claims may be found throughout the specification as originally filed, for example, at paragraphs 0015, 0016, and 0032. Claim 1 is the independent claim.

### **Objection to the specification**

The specification is objected to because of the heading used in the specification as originally filed. The present amendments to the specification correct these headings as suggested by the Examiner. Accordingly, Application respectfully requests that the objection to the specification be withdrawn.

### **Claim rejection under 35 U.S.C. § 112, second paragraph**

Claim one stands rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. The Office Action asserts that the term "contagious" is not consistent with the specification. As suggested by the Examiner, claim 1 as been amended to recite "contiguous." Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. § 112, second paragraph be withdrawn.

### **Claim rejection under 35 U.S.C. § 103(a)**

Claim 1 stands rejected under 35 U.S.C. § 103 (a) as allegedly being obvious over U.S. Patent No. 899, 895 to Patrick ("Patrick"). Applicant respectfully traverses the rejection because Patrick does not teach or suggest a color or pattern that is displayed on either side of *each piece* that *corresponds to a respective color or pattern* displayed in *each cell* of the game board, as claimed. Instead, Patrick teaches that game cards of different types may be laid on a plain game board. Each of Patrick's game cards *do not correspond* with each cell of the Patrick's game board.

The present application discloses a game board set for use by two players. The players arrange game pieces in respective quarters of the game board. The game pieces are placed, face-side-down, on the board. On the bottom face, not visible to the players, on *each*

*game piece* is a respective indicia (e.g., different colors or patterns such as numerals, characters, notations, photos, pictures, *etc.*). The indicia on the bottom face of each game pieces *corresponds* to a respective indicia printed in *each of the cells* on the opposite side of the game board.

During game play, a player will pick up a piece, examine the indicia on the bottom side of the piece, and place that piece on the *corresponding* position in the opposite side of the game board. To illustrate, see Fig. 5 of the specification ,where “Player A” discovers that the game piece contains the number ‘4’ on the bottom face and moves that game piece to the corresponding number ‘4’ on the opposite side of the game board. Similarly “Player B” discovers the letter ‘L’ on her game piece and moves it to the corresponding letter ‘L’ on the opposite side of the game board. Since the indicia appear only on the bottom of the game pieces, each player selects the indicia by chance.

The players continue taking turns until one of the players discovers that the game pieces, having been moved to the opposite side of the game board, match one of the winning hands. The hands are geometric configurations of game pieces, such as those shown in Fig. 7 for example.

The disclosed board game set is a game of chance in matching the indicia on the bottom side *each game piece* and the *corresponding patterns* in *each cell* on the game board. Accordingly, independent claim 1 recites wherein on either side of *each piece*, a color or pattern is displayed, which *corresponds* to the respective color or pattern displayed in *each cell* of said piece collating parts.

In contrast, Patrick does disclose this claimed correspondence between pieces and piece collecting parts. Rather, Patrick’s game board contains numbers two through five. Patrick’s game cards contain the word “Counter” or “Quaker” and a number zero through ten indicating the value of that card. However, each game piece does not have a corresponding pattern in each cell, as claimed. Patrick’s cards are numbered zero through ten, while only the numbers two through five appear on the board.

This is consistent with the fact that Patrick does not teach a matching game of chance. The numbers on the Patrick’s game board are added to the numbers on the card – they do not *each correspond* to *each* game piece, as claimed. Thus, Applicant submits that Patrick not teach or suggest a color or pattern that is displayed on either side of *each piece* that

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*corresponds to a respective color or pattern* displayed in *each cell* of the game board, as claimed. Accordingly, Applicant submits that independent claim 1 patentably defines over the cited art, and that claims 2-4 patentably define over the cited art, as well, at least by virtue of their dependence from a patentable claim.

In view of the above amendments and remarks, Applicant respectfully submits that the present application is in condition for allowance. Applicant respectfully requests reconsideration of the application and a Notice of Allowance for claims 1-4.

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